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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/775,502	02/05/2001	Jacob Aizikowitz	P-3016-US	8471
27130	7590	01/26/2005	EXAMINER	
EITAN, PEARL, LATZER & COHEN ZEDEK LLP 10 ROCKEFELLER PLAZA, SUITE 1001 NEW YORK, NY 10020			SAIN, GAUTAM	
			ART UNIT	PAPER NUMBER
			2176	

DATE MAILED: 01/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/775,502

Applicant(s)

AIZIKOWITZ ET AL.

Examiner

Gautam Sain

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1) The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1-1) Claims 12, 14, 15, 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Orr et al (US 5895476, issued Apr 20, 1999, see IDS).

Regarding claims 12, Orr teaches a logic section (ie., logical component structure of a composition)(col 14, lines 25, 26).

Orr teaches a layout section comprising at least one layout object (ie., layout of content from multiple sources)(col 2, line 58).

Orr teaches “defining a set ... document” (ie., OLE embedded objects or HTML page)(col 1, lines 40-45).

Orr teaches “defining ... values” (ie., content elements)(col 1, line 30).

Orr teaches “defining ... dynamic objects” (ie., design descriptions ... automatically integrate content OLE objects)(col 1, line 25 – col 2, line 22).

Orr teaches for producing a plurality of documents based on said template, said template, said documents differing in respect of said data values (ie., write once-publish anywhere in conjunction with layout of content from multiple sources. Multiple sources of content are different data values)(col 6, lines 24-25).

Regarding claim 14, Orr teaches “storage system ... actual item” (ie., content processing from a wide variety of resources ... disk)(col 5, lines 47-55)(content facet ... pointer to a text string containing text)(col 16, lines 65-67).

Regarding claims 15, Orr teaches “data values ... media items” (ie., content may come from database or other sources)(col 7, lines 63-65)(ie., combinations of content ... media features)(col 5, lines 33-46).

Regarding claims 17, Orr teaches “providing a set ... type of said object” (ie., disparate file formats ... removing program specific formatting)(col 5, lines 50-57)(automatically performs document layout)(col 5, lines 35-40).

Claim Rejections - 35 USC § 103

2) The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2-1) Claims 1, 2, 3, 4, 5, 7, 8, 9, 10, 16, 18, 19, 20, 21, 22, 24, 25, 26, 27, 28, 29 are rejected under 35 U.S.C. 102(b) as being anticipated by Orr et al (as cited above), in view of Poole et al (US 6006242, issued Dec 21, 1999, see IDS).

Regarding claim 1, 18, Orr teaches “providing ... template” (ie., dynamic document template)(col 2, line 59).

Orr teaches “binding an ... template” (ie., content elements added based on the template)(col 7, lines 1 – 18)(ie., content rendered according to design description)(col 8, lines 16-25).

Orr teaches producing a plurality of documents based on said template (ie., automatic integration of content from multiple sources into templates)(col 2, lines 55-60).

Orr does not teach, but Poole teaches documents differing in respect of said instances set (ie., prepared document is published as printed form, electronic form or Internet form ... resolving entity references associated with one or more document instances)(para 8, lines 25-30).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Orr to include resolving entity references associated with one or more document instances as taught by Poole, providing the benefit of a method for dynamically creating electronic and printable documents and forms with re-usability of textual, graphical and other components with arbitrary document types having arbitrary number of presentation formats (Poole, Abstract section).

Regarding claim 2, Orr teaches “describing ... layout design” (ie., design description ... brochure layouts with photographs)(col 8, lines 15-54; fig 1a, 1b, 1c).

Orr teaches “defining ... template” (ie., design engine)(col 8, lines 16-20)(ie., design description ... output specification ... reformatting ... automatically recalculating)(col 1, line 27 – col 2, line 8).

Regarding claims 3, 22, Orr teaches “defining a set ... document” (ie., OLE embedded objects or HTML page)(col 1, lines 40-45).

Orr teaches “defining ... values” (ie., content elements)(col 1, line 30).

Orr teaches “defining ... dynamic objects” (ie., design descriptions ... automatically integrate content OLE objects)(col 1, line 25 – col 2, line 22).

Regarding claims 4, 25, Orr teaches “data values ... media items” (ie., content may come from database or other sources)(col 7, lines 63-65)(ie., combinations of content ... media features)(col 5, lines 33-46).

Regarding claim 5, Orr teaches “providing a set ... type of said object” (ie., disparate file formats ... removing program specific formatting)(col 5, lines 50-57)(automatically performs document layout)(col 5, lines 35-40).

Orr teaches “providing ... dynamic document” (ie., ... wide variety of distribution mechanism)(col 5, lines 35-45).

Orr teaches “providing ... objects” (ie., user changes are automatically recalculated. The version prior to recalculation is a placeholder for the adjusted format/style)(col 5, line 65 – col 6, line 8).

Regarding claim 7, 24, Orr teaches “storage system ... actual item” (ie., content processing from a wide variety of resources ... disk)(col 5, lines 47-55)(content facet ... pointer to a text string containing text)(col 16, lines 65-67).

Regarding claim 10, Orr teaches “amending ... logic plan” (ie., three-way separation of content, design, media allows layout of content into intelligent dynamic

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document templates. One can modify the template without modifying the overall design logic)(col 2, lines 50-67).

Regarding claims 21, Orr teaches “logic section” (ie., logical construction of a document)(col 12, lines 9-20).

Orr teaches “layout section ... object” (ie., OLE objects ... document layout)(col 5, lines 30-45)(content elements are added in a location)(col 7, lines 1-10).

Regarding claims 29, Orr teaches “providing a set ... type of said object” (ie., disparate file formats ... removing program specific formatting)(col 5, lines 50-57)(automatically performs document layout)(col 5, lines 35-40).

Regarding claim 19, Orr teaches “plurality of pointers ... sources” (ie., content from multiple sources ...)(col 2, lines 55-60).

Regarding claim 20, Orr teaches “data sources ... media items” (ie., content may come from database or other sources)(col 7, lines 63-65)(ie., combinations of content ... media features)(col 5, lines 33-46).

Regarding claims 8, 16, 26, Orr does not expressly teach, but Poole teaches “Relational Database tables” (ie., conventional relational database scheme ... table of rules with boilerplate clauses)(col 1, lines 40-50).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Orr to include a relation database scheme as taught by Poole, providing the benefit of an apparatus and method for dynamically constructing electronic and printable documents and forms (Poole, Abstract section).

Regarding claims 9, 27, Orr does not expressly teach, but Poole teaches “assigning ... tables” (ie., conventional relational database scheme ... table of rules with boilerplate clauses)(col 1, lines 40-50).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Orr to include matching database tables with boilerplate clauses as taught by Poole, providing the benefit of an apparatus and method for dynamically constructing electronic and printable documents and forms (Poole, Abstract section).

Regarding claim 28, Orr teaches “instances sets ... database tables” (ie., content may come from sources other than a database)(col 7, lines 63-65).

2-2) Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Orr et al (as cited above), in view of Li (US 6725227, filed Nov 2, 1998).

Regarding claims 13, Orr does not expressly teach, but Li teaches “set of rules ... Relational Algebra” (ie., Relational Algebra)(col 9, line 23).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Orr to include Relational Algebra as taught by Li, providing the benefit of managing Web and intranet documents efficiently where users store documents contents in databases and structures and users can create and logically combine physical or logical databases for visually and organizing documents (Li, col 1, line 65 – col 2, line 26).

2-3) Claims 6, 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Orr et al (as cited above), in view of Poole (as cited above), further in view of Li (US 6725227, filed Nov 2, 1998).

Regarding claims 6, 23, Orr does not expressly teach, but Li teaches “set of rules ... Relational Algebra” (ie., Relational Algebra)(col 9, line 23).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Orr in view of Poole to include Relational Algebra as taught by Li, providing the benefit of managing Web and intranet documents efficiently where users store documents contents in databases and structures and users can create and logically combine physical or logical databases for visually and organizing documents (Li, col 1, line 65 – col 2, line 26).

Response to Arguments

First, rejection of claims 1-29 under 35 USC 101 is withdrawn since applicant included “computer-readable medium”.

Applicant's arguments filed 10/13/04 have been fully considered but they are not persuasive.

Rejection of claims 1-7, 10-12, 14-15, 17-22, 24-25 and 29, under 35 USC 102(b). Applicant argues that Orr does not teach producing a plurality of documents potentially having different content. Examiner disagrees. Specifically, the unamended claims did not positively claim document content from different sources. In any case, Orr does support for automatic integration, composition and layout of content from multiple sources into dynamic templates instantly publishable in various media (col 2, lines 55-60)(col 6, lines 64-67). While Orr does teach publishing a document in various media, it does teach differing content within the document as well. Applicant argues that the amended claims are not taught by Orr. Examiner partially disagrees. Where

they is no mention of "instances" in the Orr reference, it does teach differing content and Poole teaches documents differing in respect of said instances set (ie., prepared document is published as printed form, electronic form or Internet form ... resolving entity references associated with one or more document instances)(para 8, lines 25-30).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Orr to include resolving entity references associated with one or more document instances as taught by Poole, providing the benefit of a method for dynamically creating electronic and printable documents and forms with re-usability of textual, graphical and other components with arbitrary document types having arbitrary number of presentation formats (Poole, Abstract section).

Claims 12, 14, 15, 17 have been rejected under 35 USC 102 by Orr, while Claims 1, 2, 3, 4, 5, 7, 8, 9, 10, 16, 18, 19, 20, 21, 22, 24, 25, 26, 27, 28, 29 are rejected under 35 USC 103 to incorporate the teachings of Poole (US 6006242).

Claims 6, 13 and 23 under 35 USC 103(a) as being unpatentable over Orr in view of Li. Applicant argues that it would not have been obvious to one of ordinary skill to modify Orr to include relational rules. Examiner disagrees and maintains the rejection, that it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Orr in view of Poole to include Relational Algebra as taught by Li, providing the benefit of managing Web and intranet documents efficiently where users store documents contents in databases and structures and users can create and logically combine physical or logical databases for visually and organizing documents (Li, col 1, line 65 – col 2, line 26). Both references are in the same field of endeavour

(internet document layouts). Additionally, Li reference shows that Relational Algebra was well known in the art at the time of the invention.

Claims 8, 9, 16 and 26-28 rejection under 35 USC 103 by Orr in view of Poole. Applicant argues that Poole does not teach producing a plurality of documents for a plurality of instance sets. Examiner disagrees. Poole teaches *documents differing in respect of said instances set* (ie., prepared document is published as printed form, electronic form or Internet form ... resolving entity references associated with one or more document instances)(para 8, lines 25-30).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Orr to include resolving entity references associated with one or more document instances as taught by Poole, providing the benefit of a method for dynamically creating electronic and printable documents and forms with re-usability of textual, graphical and other components with arbitrary document types having arbitrary number of presentation formats (Poole, Abstract section).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gautam Sain whose telephone number is 571-272-4096. The examiner can normally be reached on M-F 9-5 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GS
GS



SANJIV SHAH
PRIMARY EXAMINER